

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan Fairchild

Mary Riehs

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Arbell JUAREZ-MADRIGAL

Case: 2:22-mj-30386

Assigned To : Unassigned

Assign. Date : 9/12/2022

Case No. Description: RE: ARBELL
JUAREZ-MADRIGAL (EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 31, 2022 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about August 31, 2022, in the Eastern District of Michigan, Southern Division, Arbell JUAREZ-MADRIGAL, an alien from Mexico was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about July 25, 2017, at or near El Paso, TX and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☒ Continued on the attached sheet.*Complainant's signature*Mary Riehs, Deportation Officer*Printed name and title*

Sworn to before me and signed in my presence.

Date: September 12, 2022City and state: Detroit, Michigan*Judge's signature*David R. Grand, United States Magistrate Judge*Printed name and title*

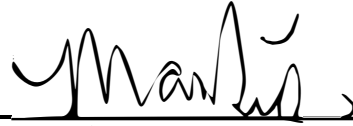
AFFIDAVIT

I, Mary Riehs, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with U.S. Immigration and Customs Enforcement (ICE) of within the Department of Homeland Security, having served with ICE since July 2020. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records and system automated data relating to Arbell JUAREZ-MADRIGAL, which reveal the following:
2. JUAREZ-MADRIGAL is a thirty-five-year-old native and citizen of Mexico who last entered the United States on an unknown date, at an unknown place, without inspection by an immigration officer.
3. On or about April 3, 2013, ICE apprehended JUAREZ-MADRIGAL at or near Denver, CO and served him with Form I-862 Notice to Appear.
4. On or about April 12, 2013, an Immigration Judge in Aurora, CO administratively closed JUAREZ-MADRIGAL's immigration proceedings due to subject being in the custody of the USMS.
5. On or about March 4, 2014, the U.S. District Court District of Colorado convicted JUAREZ-MADRIGAL for the offense of Conspiracy to Distribute and Possess with Intent to Distribute 100 Grams or More of a Mixture or Substance Containing a Detectable Amount of Heroin and a Quantity of a Mixture or Substance Containing a Detectable Amount of Cocaine, in violation of Title 21 U.S.C. §846 and §841(a)(1) and (b)(1)(B)(i) and (C) and sentenced him to 70 months incarceration.
6. On or about March 11, 2017, ICE served JUAREZ-MADRIGAL with Form I-851 Notice of Intent to Issue a Final Administrative Removal Order at or near McRae, GA.
7. On or about March 11, 2017, in Savannah, GA, ICE signed the I-851A Final Administrative Removal Order.

8. On July 7, 2017, an Immigration Judge in Aurora, CO recalendared and terminated JUAREZ-MADRIGAL's immigration proceedings from his 2013 immigration case.
9. On or about July 17, 2017, in Lumpkin, GA, ICE served the Form I-851A Final Administrative Removal Order on JUAREZ-MADRIGAL.
10. On or about July 25, 2017, ICE removed JUAREZ-MADRIGAL from the U.S. to Mexico through El Paso, TX.
11. On or about August 31, 2022, the DEA Strike Force arrested JUAREZ-MADRIGAL at or near Detroit, MI for the offense of Heroin Possession/Distribution, and notified Detroit ICE that JUAREZ-MADRIGAL was in custody at the Oakland County Jail in Pontiac, MI.
12. On or about September 1, 2022, ICE lodged an immigration detainer for JUAREZ-MADRIGAL at the Oakland County Jail in Pontiac, MI. On or about September 2, 2022, ICE arrested JUAREZ-MADRIGAL at the Oakland County Jail, and served him with Form I-871, Notice of Intent/Decision to Reinstate Prior Order. Fingerprint checks confirmed a positive match for Arbell JUAREZ-MADRIGAL, DOB: XX/XX/1987, AXXX XXX 121, a previously removed alien.
13. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any non-citizen entering or attempting to enter the United States, or any non-citizen present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of noncitizens.
14. A review of immigration records (A #XXX XXX 121) for JUAREZ-MADRIGAL and queries in U.S. Department of Homeland Security databases reveal that no record exists of JUAREZ-MADRIGAL obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal from the United States on or about July 25, 2017.
15. Based on the above information, there is probable cause to believe that, on or about August 31, 2022, in the Eastern District of Michigan, Southern Division, JUAREZ-MADRIGAL, an alien, was found in the United States

after having been denied admission, excluded, deported, and removed therefrom on or about July 25, 2017 and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; all in violation of Title 8, United States Code, Section 1326(a).

A handwritten signature in black ink, appearing to read 'Mary Riehs', is written over a horizontal line.

Mary Riehs
Deportation Officer

Sworn to before me and signed in my presence and/or by reliable electronic means.

Honorable David R. Grand
United States Magistrate Judge

Dated: